

104TH CONGRESS
2D SESSION

S. 1662

To establish areas of wilderness and recreation in the State of Oregon,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 1996

Mr. HATFIELD introduced the following bill; which was read twice and
referred to the Committee on Energy and Natural Resources

A BILL

To establish areas of wilderness and recreation in the State
of Oregon, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Oregon Resource Con-
5 servation Act of 1996”.

1 **TITLE I—OPAL CREEK WILDER-**
2 **NESS AND SCENIC RECRE-**
3 **ATION AREA**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Opal Creek Wilderness
6 and Opal Creek Scenic Recreation Area Act of 1996”.

7 **SEC. 102. DEFINITIONS.**

8 In this title:

9 (1) BULL OF THE WOODS WILDERNESS.—The
10 term “Bull of the Woods Wilderness” means the
11 land designated as wilderness by section 3(4) of the
12 Oregon Wilderness Act of 1984 (Public Law 98–
13 328; 16 U.S.C. 1132 note).

14 (2) IMMEDIATE FAMILY.—The term “immediate
15 family” means, with respect to the owner of record
16 of land or an interest in land, a spouse, sibling, child
17 (whether natural or adopted), stepchild, and any lin-
18 eal descendant of the owner.

19 (3) OPAL CREEK WILDERNESS.—The term
20 “Opal Creek Wilderness” means certain land in the
21 Willamette National Forest in the State of Oregon
22 comprising approximately 13,212 acres, as generally
23 depicted on the map entitled “Proposed Opal Creek
24 Wilderness and Scenic Recreation Area”, dated
25 March 1996.

1 (4) SCENIC RECREATION AREA.—The term
 2 “Scenic Recreation Area” means the Opal Creek
 3 Scenic Recreation Area established under section
 4 103(a)(3).

5 (5) SECRETARY.—The term “Secretary” means
 6 the Secretary of Agriculture.

7 **SEC. 103. ESTABLISHMENT OF OPAL CREEK WILDERNESS**
 8 **AND SCENIC RECREATION AREA.**

9 (a) ESTABLISHMENT.—On a determination by the
 10 Secretary under subsection (b)—

11 (1) the Opal Creek Wilderness shall become a
 12 component of the National Wilderness System and
 13 shall be known as the Opal Creek Wilderness;

14 (2) the part of the Bull of the Woods Wilder-
 15 ness that is located in the Willamette National For-
 16 est shall be incorporated into the Opal Creek Wilder-
 17 ness; and

18 (3) the Secretary shall establish the Opal Creek
 19 Scenic Recreation Area in the Willamette National
 20 Forest in the State of Oregon, comprising approxi-
 21 mately 13,013 acres, as generally depicted on the
 22 map entitled “Proposed Opal Creek Wilderness and
 23 Scenic Recreation Area”, dated March 1996.

24 (b) CONDITIONS.—Subsection (a) shall not take ef-
 25 fect unless the Secretary makes a determination, not later

1 than 2 years after the date of enactment of this Act, that
2 the following have been donated to the United States in
3 an acceptable condition and without encumbrances:

4 (1) All right, title, and interest in the following
5 patented parcels of land:

6 (A) Santiam number 1, mineral survey
7 number 992, as described in patent number 39–
8 92–0002, dated December 11, 1991.

9 (B) Ruth Quartz Mine number 2, mineral
10 survey number 994, as described in patent
11 number 39–91–0012, dated February 12, 1991.

12 (C) Morning Star Lode, mineral survey
13 number 993, as described in patent number 36–
14 91–0011, dated February 12, 1991.

15 (D) Certain land belonging to the Times
16 Mirror Land and Timber Company located in
17 section 18, township 8 south, range 5 east,
18 Marion County, Oregon, Eureka numbers 6, 7,
19 and 8, and 13 patented mining claims.

20 (2) A public easement across the Hewitt, Star-
21 vation, and Poor Boy Mill Sites, mineral survey
22 number 990, as described in patent number 36–91–
23 0017, dated May 9, 1991, or any alternative route
24 for the easement that may be available.

1 (c) EXPANSION OF SCENIC RECREATION AREA
2 BOUNDARIES.—On acquiring all or substantially all of the
3 land located in section 36, township 8 south, range 4 east,
4 of the Willamette Meridian, Marion County, Oregon, by
5 exchange, purchase, or donation, the Secretary shall ex-
6 pand the boundary of the Scenic Recreation Area to in-
7 clude the land.

8 **SEC. 104. ADMINISTRATION OF THE SCENIC RECREATION**
9 **AREA.**

10 (a) IN GENERAL.—The Secretary shall administer
11 the Scenic Recreation Area in accordance with the laws
12 (including regulations) applicable to the National Forest
13 System.

14 (b) MANAGEMENT PLAN.—

15 (1) IN GENERAL.—Not later than 2 years after
16 the date of establishment of the Scenic Recreation
17 Area, the Secretary, in consultation with the advi-
18 sory committee established under section 105(a),
19 shall prepare a comprehensive management plan for
20 the Scenic Recreation Area.

21 (2) INCORPORATION IN LAND AND RESOURCE
22 MANAGEMENT PLAN.—On completion of the man-
23 agement plan, the management plan shall become
24 part of the land and resource management plan for
25 the Willamette National Forest and supersede any

1 conflicting provision in the land and resource man-
2 agement plan.

3 (3) REQUIREMENTS.—The management plan
4 shall provide a broad range of land uses, including—

5 (A) recreation;

6 (B) harvesting of nontraditional forest
7 products, such as gathering mushrooms and
8 material to make baskets; and

9 (C) educational and research opportunities.

10 (4) PLAN AMENDMENTS.—The Secretary may
11 amend the management plan as the Secretary may
12 determine to be necessary.

13 (c) CULTURAL AND HISTORIC RESOURCE INVEN-
14 TORY.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of establishment of the Scenic Recreation
17 Area, the Secretary shall review and revise the in-
18 ventory of the cultural and historic resources on the
19 public land in the Scenic Recreation Area that were
20 developed pursuant to the Oregon Wilderness Act of
21 1984 (Public Law 98–328; 98 Stat. 272).

22 (2) INTERPRETATION.—Interpretive activities
23 shall be developed under the management plan in
24 consultation with State and local historic preserva-
25 tion organizations and shall include a balanced and

1 factually-based interpretation of the cultural, eco-
2 logical, and industrial history of forestry and mining
3 in the Scenic Recreation Area.

4 (d) TRANSPORTATION PLANNING.—

5 (1) IN GENERAL.—To maintain access to recre-
6 ation sites and facilities in existence on the date of
7 enactment of this Act, the Secretary shall prepare a
8 transportation plan for the Scenic Recreation Area
9 that evaluates the road network within the Scenic
10 Recreation Area to determine which roads should be
11 retained and which roads closed.

12 (2) ACCESS BY PERSONS WITH DISABILITIES.—
13 The Secretary, in consultation with private inholders
14 in the Scenic Recreation Area, shall consider the ac-
15 cess needs of persons with disabilities in preparing
16 the transportation plan for the Scenic Recreation
17 Area.

18 (3) MOTOR VEHICLES.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B) and in the transportation
21 plan under paragraph (1), motorized vehicles
22 shall not be permitted in the Scenic Recreation
23 Area.

24 (B) EXCEPTION.—Forest road 3209 be-
25 yond the gate to the Scenic Recreation Area, as

1 depicted on the map described in section
2 103(a)(3), may be used by motorized vehicles
3 for administrative purposes and for access to a
4 private inholding, subject to such terms and
5 conditions as the Secretary may determine to be
6 necessary.

7 (4) ROAD IMPROVEMENT.—Any construction or
8 improvement of forest road 3209 beyond the gate to
9 the Scenic Recreation Area may not include paving
10 or any work beyond 50 feet from the centerline of
11 the road.

12 (e) HUNTING AND FISHING.—

13 (1) IN GENERAL.—Subject to other Federal and
14 State law, the Secretary shall permit hunting and
15 fishing in the Scenic Recreation Area.

16 (2) LIMITATION.—The Secretary may designate
17 zones in which, and establish periods when, no hunt-
18 ing or fishing shall be permitted for reasons of pub-
19 lic safety, administration, or public use and enjoy-
20 ment.

21 (3) CONSULTATION.—Except during an emer-
22 gency, as determined by the Secretary, the Secretary
23 shall consult with the Oregon State Department of
24 Fish and Wildlife before issuing any regulation
25 under this section.

1 (f) TIMBER CUTTING.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the Secretary shall prohibit the cutting of trees in
4 the Scenic Recreation Area.

5 (2) PERMITTED CUTTING.—

6 (A) IN GENERAL.—Subject to subpara-
7 graph (B), the Secretary may allow the cutting
8 of trees in the Scenic Recreation Area—

9 (i) for public safety, such as to control
10 the spread of a forest fire in the Scenic
11 Recreation Area or on land adjacent to the
12 Scenic Recreation Area; or

13 (ii) for activities related to adminis-
14 tration of the Scenic Recreation Area.

15 (B) SALVAGE SALES.—The Secretary may
16 not allow a salvage sale in the Scenic Recre-
17 ation Area.

18 (g) WITHDRAWAL.—Subject to rights perfected be-
19 fore the date of enactment of this Act, all land in the Sce-
20 nic Recreation Area are withdrawn from—

21 (1) any form of entry, appropriation, or dis-
22 posal under the public land laws;

23 (2) location, entry, and patent under the mining
24 laws; and

1 (3) disposition under the mineral and geo-
2 thermal leasing laws.

3 (h) WATER IMPOUNDMENTS.—Notwithstanding the
4 Federal Power Act (16 U.S.C. 791a et seq.), the Federal
5 Energy Regulatory Commission may not license the con-
6 struction of any dam, water conduit, reservoir, power-
7 house, transmission line, or other project work in the Sce-
8 nic Recreation Area.

9 (i) RECREATION.—

10 (1) RECOGNITION.—Congress recognizes recre-
11 ation as an appropriate use of the Scenic Recreation
12 Area.

13 (2) MINIMUM LEVELS.—The management plan
14 shall accommodate recreation at not less than the
15 levels in existence on the date of enactment of this
16 Act.

17 (3) HIGHER LEVELS.—The management plan
18 may provide for levels of recreation use higher than
19 the levels in existence on the date of enactment of
20 this Act if the levels are consistent with the protec-
21 tion of resource values.

22 (j) PARTICIPATION.—In order that the knowledge,
23 expertise, and views of all agencies and groups may con-
24 tribute affirmatively to the most sensitive present and fu-

1 ture use of the Scenic Recreation Area and its various sub-
2 areas for the benefit of the public:

3 (1) ADVISORY COUNCIL.—The Secretary shall
4 consult on a periodic and regular basis with the ad-
5 visory council established under section 105 with re-
6 spect to matters relating to management of the Sce-
7 nic Recreation Area.

8 (2) PUBLIC PARTICIPATION.—The Secretary
9 shall seek the views of private groups, individuals,
10 and the public concerning the Scenic Recreation
11 Area.

12 (3) OTHER AGENCIES.—The Secretary shall
13 seek the views and assistance of, and cooperate with,
14 any other Federal, State, or local agency with any
15 responsibility for the zoning, planning, or natural re-
16 sources of the Scenic Recreation Area.

17 (4) NONPROFIT AGENCIES AND ORGANIZA-
18 TIONS.—The Secretary shall seek the views of any
19 nonprofit agency or organization that may contrib-
20 ute information or expertise about the resources and
21 the management of the Scenic Recreation Area.

22 **SEC. 105. ADVISORY COUNCIL.**

23 (a) ESTABLISHMENT.—On the establishment of the
24 Scenic Recreation Area, the Secretary shall establish an
25 advisory council for the Scenic Recreation Area.

1 (b) MEMBERSHIP.—The advisory council shall consist
2 of not more than 11 members, of whom—

3 (1) 1 member shall represent Marion County,
4 Oregon, and shall be designated by the governing
5 body of the county;

6 (2) 1 member shall represent the State of Or-
7 egon and shall be designated by the Governor of Or-
8 egon; and

9 (3) not more than 8 members shall be ap-
10 pointed by the Secretary from among persons who,
11 individually or through association with a national or
12 local organization, have an interest in the adminis-
13 tration of the Scenic Recreation Area, including rep-
14 resentatives of the timber industry, environmental
15 organizations, and economic development interests.

16 (c) STAGGERED TERMS.—Members of the advisory
17 council shall serve for staggered terms of 3 years.

18 (d) CHAIRMAN.—The Secretary shall designate 1
19 member of the advisory council as chairman.

20 (e) VACANCIES.—The Secretary shall fill a vacancy
21 on the advisory council in the same manner as the original
22 appointment.

23 (f) COMPENSATION.—A member of the advisory
24 council shall not receive any compensation for the mem-
25 ber's service to the advisory council.

1 **SEC. 106. GENERAL PROVISIONS.**

2 (a) LAND ACQUISITION.—

3 (1) IN GENERAL.—Subject to the other provi-
4 sions of this subsection, the Secretary may acquire
5 any lands, waters, or interests in land or water in
6 the Scenic Recreation Area or the Opal Creek Wil-
7 derness that the Secretary determines are needed to
8 carry out this title.

9 (2) PUBLIC LAND.—Any lands, waters, or inter-
10 ests in land or water owned by a State or a political
11 subdivision of a State may be acquired only by dona-
12 tion or exchange.

13 (3) CONDEMNATION.—Subject to paragraph
14 (4), the Secretary may not acquire any privately
15 owned land or interest in land without the consent
16 of the owner unless the Secretary finds that—

17 (A) the nature of land use has changed
18 significantly, or the landowner has dem-
19 onstrated intent to change the land use signifi-
20 cantly, from the use that existed on the date of
21 the enactment of this Act; and

22 (B) acquisition by the Secretary of the
23 land or interest in land is essential to ensure
24 use of the land or interest in land in accordance
25 with the management plan prepared under sec-
26 tion 104(b).

1 (4) RIGHT OF FIRST REFUSAL.—

2 (A) IN GENERAL.—The following privately
 3 owned lands, interests in land, and structures
 4 may not be disposed of by donation, exchange,
 5 sale, or other conveyance without first being of-
 6 fered at not more than fair market value to the
 7 Secretary:

8 (i) The lode mining claims known as
 9 the Princess Lode, Black Prince Lode, and
 10 King Number 4 Lode, embracing portions
 11 of sections 29 and 32, township 8 south,
 12 range 5 east, Willamette Meridian, Marion
 13 County, Oregon, the claims being more
 14 particularly described in the field notes
 15 and depicted on the plat of mineral survey
 16 number 887, Oregon.

17 (ii) Ruth Quartz Mine Number 1,
 18 mineral survey number 994, as described
 19 in patent number 39–91–0012, dated Feb-
 20 ruary 12, 1991.

21 (B) ACCEPTANCE PERIOD.—The Secretary
 22 shall have not less than 120 days in which to
 23 accept an offer under subparagraph (A).

24 (C) ACQUISITION.—The Secretary shall
 25 have not less than 45 days after the end of the

1 fiscal year following the fiscal year in which an
2 offer was accepted under subparagraph (B) to
3 acquire the land, interest in land, or structure
4 offered under subparagraph (A).

5 (D) PROHIBITION OF CHEAPER SALES.—

6 Any land, interest in land, or structure offered
7 to the Secretary under subparagraph (A) may
8 not be sold or conveyed at a price below the
9 price at which the land, interest in land, or
10 structure was offered.

11 (E) REOFFER.—

12 (i) IN GENERAL.—Subject to clause
13 (ii), any land, interest in land, or structure
14 offered to the Secretary under subpara-
15 graph (A) may not be reoffered for sale or
16 conveyance unless the land, interest in
17 land, or structure is first reoffered to the
18 Secretary.

19 (ii) IMMEDIATE FAMILY.—Clause (i)
20 shall not apply to a change in ownership of
21 land, an interest in land, or a structure
22 within the immediate family of the owner
23 of record on January 1, 1996.

1 (F) PROCEEDS.—The proceeds of any sale
2 to the Secretary under this paragraph may be
3 used only for—

4 (i) trail, road, and bridge mainte-
5 nance;

6 (ii) elementary, secondary, under-
7 graduate and graduate level interpretive,
8 research, and educational programs and
9 activities, such as public school field study
10 programs, laboratory studies, workshops,
11 and seminars; and

12 (iii) construction of visitor facilities,
13 such as restrooms, information kiosks, and
14 trail signage.

15 (b) ENVIRONMENTAL RESPONSE ACTIONS AND COST
16 RECOVERY.—

17 (1) RESPONSE ACTIONS.—Nothing in this title
18 shall limit the authority of the Secretary or a re-
19 sponsible party to conduct an environmental re-
20 sponse action in the Scenic Recreation Area in con-
21 nection with the release, threatened release, or clean-
22 up of a hazardous substance, pollutant, or contami-
23 nant, including a response action conducted under
24 the Comprehensive Environmental Response, Com-

1 pensation, and Liability Act of 1980 (42 U.S.C.
2 9601 et seq.).

3 (2) LIABILITY.—Nothing in this title shall limit
4 the authority of the Secretary or a responsible party
5 to recover costs related to the release, threatened re-
6 lease, or cleanup of any hazardous substance or pol-
7 lutant or contaminant in the Scenic Recreation
8 Area.

9 (c) MAPS AND DESCRIPTION.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary
12 shall file a map and a boundary description for the
13 Opal Creek Wilderness and for the Scenic Recre-
14 ation Area with the Committee on Resources of the
15 House of Representatives and the Committee on En-
16 ergy and Natural Resources of the Senate.

17 (2) FORCE AND EFFECT.—The boundary de-
18 scription and map shall have the same force and ef-
19 fect as if the description and map were included in
20 this title, except that the Secretary may correct cler-
21 ical and typographical errors in the boundary de-
22 scription and map.

23 (3) AVAILABILITY.—The map and boundary de-
24 scription shall be on file and available for public in-

1 spection in the Office of the Chief of the Forest
2 Service, Department of Agriculture.

3 **SEC. 107. DESIGNATION OF ELKHORN CREEK AS A WILD**
4 **AND SCENIC RIVER.**

5 Section 3(a) of the Wild and Scenic Recreation Rivers
6 Act (16 U.S.C. 1274(a)) is amended by adding at the end
7 the following:

8 “() ELKHORN CREEK.—Elkhorn Creek from its
9 source to its confluence on Federal land, to be adminis-
10 tered by agencies of the Departments of the Interior and
11 Agriculture as agreed on by the Secretary of the Interior
12 and the Secretary of Agriculture or as directed by the
13 President. Notwithstanding subsection (b), the boundaries
14 of the Elkhorn River shall include an average of not more
15 than 640 acres per mile measured from the ordinary high
16 water mark on both sides of the river.”.

17 **SEC. 108. SAVINGS CLAUSE.**

18 Nothing in this title shall—

19 (1) interfere with any activity for which a spe-
20 cial use permit has been issued (and not revoked)
21 before the date of enactment of this Act, subject to
22 the terms of the permit; or

23 (2) otherwise abridge the valid existing rights of
24 an unpatented mining claimant under the general
25 mining laws of the United States.

**TITLE II—UPPER KLAMATH
BASIN**

**SEC. 201. UPPER KLAMATH BASIN ECOLOGICAL RESTORA-
TION PROJECTS.**

(a) DEFINITIONS.—In this section:

(1) ECOSYSTEM RESTORATION OFFICE.—The term “Ecosystem Restoration Office” means the Klamath Basin Ecosystem Restoration Office operated cooperatively by the United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, and Forest Service.

(2) WORKING GROUP.—The term “Working Group” means the Upper Klamath Basin Working Group, established before the date of enactment of this Act, consisting of representatives of the environmental community, Klamath Tribes, water users, local industry, Klamath County, Oregon, the Department of Fish and Wildlife of the State of Oregon, the Oregon Institute of Technology, the city of Klamath Falls, Oregon, and the United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, Forest Service, Natural Resources Conservation Service, and Ecosystem Restoration Office.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (b) COOPERATIVE AGREEMENT.—

4 (1) IN GENERAL.—The Secretary shall enter
5 into a cooperative agreement with the Working
6 Group under which—

7 (A) the Working Group through the Eco-
8 system Restoration Office, with technical assist-
9 ance from the Secretary, will propose ecological
10 restoration projects to be undertaken in the
11 Upper Klamath Basin based on a consensus of
12 interested persons in the community;

13 (B) the Working Group will accept dona-
14 tions from the public and place the amount of
15 any donations received in a trust fund, to be ex-
16 pended on the performance of ecological res-
17 toration projects approved by the Secretary;

18 (C) on continued satisfaction of the condi-
19 tion stated in subsection (c), the Secretary shall
20 pay not more than 50 percent of the cost of
21 performing any ecological restoration project
22 approved by the Secretary, up to a total
23 amount of \$1,000,000 during each of fiscal
24 years 1997 through 2001;

1 (D) funds made available under this title
2 shall be distributed by the Department of the
3 Interior, the Fish and Wildlife Service, and the
4 Ecosystem Restoration Office;

5 (E) the Ecosystem Restoration Office may
6 utilize not more than 15 percent of all funds
7 administered under this section for administra-
8 tive costs relating to the implementation of this
9 title; and

10 (F) Federal agencies located in the Upper
11 Klamath Basin, including the Fish and Wildlife
12 Service, Bureau of Reclamation, National Park
13 Service, Forest Service, Natural Resources Con-
14 servation Service, and Ecosystem Restoration
15 Office shall provide technical assistance to the
16 Working Group and actively participate in
17 Working Group meetings as nonvoting mem-
18 bers.

19 (c) CONDITIONS.—The conditions stated in this sub-
20 section are—

21 (1) that the representatives and interested per-
22 sons on the Working Group on the date of enact-
23 ment of this Act continue to serve, and in the future
24 consist of not less than—

25 (A) 3 tribal members;

1 (B) 2 representatives of the city of Klamath Falls, Oregon;

2 (C) 2 representatives of Klamath County, Oregon;

3 (D) 1 representative of institutions of higher education in the Upper Klamath Basin;

4 (E) 4 representatives of the environmental community;

5 (F) 4 representatives of local businesses and industries;

6 (G) 4 representatives of the ranching and farming community;

7 (H) 2 representatives of the State of Oregon; and

8 (I) 2 representatives from the local community; and

9 (2) that the Working Group conduct all meetings consistent with Federal open meeting and public participation laws.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 1997 through 2002.

11 **SEC. 202. DESCHUTES BASIN RESTORATION PROJECTS.**

12 There is hereby authorized the Deschutes Basin Working Group to be constituted in the same manner,

1 with the same membership, provided with the same appro-
 2 priations and provided with the same ability to offer rec-
 3 ommendations to Federal agencies regarding the expendi-
 4 ture of funds as the Klamath Basin Group.

5 **TITLE III—MOUNT HOOD** 6 **CORRIDOR**

7 **SEC. 301. LAND EXCHANGE.**

8 (a) AUTHORIZATION.—Notwithstanding any other
 9 law, if Longview Fibre Company (referred to in this sec-
 10 tion as “Longview”) offers and conveys title that is accept-
 11 able to the United States to the land described in sub-
 12 section (b), the Secretary of the Interior (referred to in
 13 this section as the “Secretary”) shall convey to Longview
 14 title to some or all of the land described in subsection (c),
 15 as necessary to satisfy the requirements of subsection (d).

16 (b) LAND TO BE OFFERED BY LONGVIEW.—The
 17 land referred to in subsection (a) as the land to be offered
 18 by Longview is the land described as follows:

19 (1) T. 2 S., R. 6 E., sec. 13—E $\frac{1}{2}$ SW $\frac{1}{4}$,
 20 W $\frac{1}{2}$ SE $\frac{1}{4}$, containing 160 record acres, more or
 21 less;

22 (2) T. 2 S., R. 6 E., sec. 14—All, containing
 23 640 record acres, more or less;

1 (3) T. 2 S., R. 6 E., sec. 16—N¹/₂, SW¹/₂,
 2 N¹/₂SE¹/₄, SW¹/₄SE¹/₂, containing 600 record acres,
 3 more or less;

4 (4) T. 2 S., R. 6 E., sec. 26—NW¹/₄,
 5 N¹/₂SW¹/₄, SW¹/₄SW¹/₄, NW¹/₄SE¹/₄; (and a strip of
 6 land to be used for right-of-way purposes in sec. 23),
 7 containing 320 record acres, more or less;

8 (5) T. 2 S., R. 6 E., sec. 27—S¹/₂NE¹/₄NE¹/₄,
 9 NW¹/₄NE¹/₄, SE¹/₄NE¹/₄, NW¹/₄NW¹/₄, containing
 10 140 record acres, more or less;

11 (6) T. 2 S., R. 6 E., sec. 28—N¹/₂, Except a
 12 tract of land 100 feet square bordering and lying
 13 west of Wild Cat Creek and bordering on the north
 14 line of Sec. 28, described as follows: Beginning at a
 15 point on the west bank of Wild Cat Creek and the
 16 north boundary of sec. 28, running thence W. 100
 17 feet, thence S. 100 feet parallel with the west bank
 18 of Wild Cat Creek, thence E. to the west bank of
 19 Wild Cat Creek, thence N. along said bank of Wild
 20 Cat Creek to the point of beginning, containing
 21 319.77 record acres, more or less;

22 (7) T. 2 S., R. 7 E., sec. 19—E¹/₂SW¹/₄,
 23 SW¹/₄SE¹/₄, Except a tract of land described in deed
 24 recorded on August 6, 1991, as Recorder's Fee No.

1 91-39007, and except the portion lying within public
 2 roads, containing 117.50 record acres, more or less;

3 (8) T. 2 S., R. 7 E., sec. 20— $S^{1/2}SW^{1/4}SW^{1/4}$,
 4 containing 20 record acres, more or less;

5 (9) T. 2 S., R. 7 E., sec. 27— $W^{1/2}SW^{1/4}$, con-
 6 taining 80 record acres, more or less;

7 (10) T. 2 S., R. 7 E., sec. 28— $S^{1/2}$, containing
 8 320 record acres, more or less;

9 (11) T. 2 S., R. 7 E., sec. 29— $SW^{1/4}NE^{1/4}$,
 10 $W^{1/2}SE^{1/4}NE^{1/4}$, $NW^{1/4}$, $SE^{1/4}$, containing 380
 11 record acres, more or less;

12 (12) T. 2 S., R. 7 E., sec. 30— $E^{1/2}NE^{1/4}$,
 13 $NW^{1/2}NE^{1/4}$, Except the portion lying within Tim-
 14 berline Rim Division 4, and except the portion lying
 15 within the county road, containing 115 record acres,
 16 more or less;

17 (13) T. 2 S., R. 7 E., sec. 33— $N^{1/2}NE^{1/4}$,
 18 $E^{1/2}NW^{1/4}NW^{1/4}$, $NE^{1/4}SW^{1/4}NW^{1/4}$, containing 110
 19 record acres, more or less;

20 (14) T. 3 S., R. 5 E., sec. 13— $NE^{1/4}SE^{1/4}$,
 21 containing 40 record acres, more or less;

22 (15) T. 3 S., R. 5 E., sec. 25—The portion of
 23 the $E^{1/2}NE^{1/4}$ lying southerly of Eagle Creek and
 24 northeasterly of South Fork Eagle Creek, containing
 25 14 record acres, more or less;

1 (16) T. 3 S., R. 5 E., sec. 26—The portion of
 2 the N¹/₂SW¹/₄ lying northeasterly of South Fork
 3 Eagle Creek, containing 36 record acres, more or
 4 less; and

5 (17) T. 6 S., R. 2 E., sec. 4—SW¹/₄, containing
 6 160.00 record acres, more or less.

7 (c) LAND TO BE CONVEYED BY THE SECRETARY.—
 8 The land referred to in subsection (a) as the land to be
 9 conveyed by the Secretary is the land described as follows:

10 (1) T. 1 S., R. 5 E., sec. 9—SE¹/₄NE¹/₄,
 11 SE¹/₄SE¹/₄, containing 80 record acres, more or less;

12 (2) T. 2 S., R. 5 E., sec. 33—NE¹/₄NE¹/₄, con-
 13 taining 40 record acres, more or less;

14 (3) T. 2¹/₂ S., R. 6 E., sec. 31—Lots 1–4, incl.
 15 containing 50.65 record acres, more or less;

16 (4) T. 2¹/₂ S., R. 6 E., sec. 32—Lots 1–4, incl.
 17 containing 60.25 record acres, more or less;

18 (5) T. 3 S., R. 5 E., sec. 1—NE¹/₄SW¹/₄,
 19 SE¹/₄, containing 200 record acres, more or less;

20 (6) T. 3 S., R. 5 E., sec. 9—S¹/₂SE¹/₄, contain-
 21 ing 80 record acres, more or less;

22 (7) T. 3 S., R. 5 E., sec. 17—N¹/₂NE¹/₄, con-
 23 taining 80 record acres, more or less;

1 (8) T. 3 S., R. 5 E., sec. 23—W¹/₂NW¹/₄,
 2 NW¹/₄SW¹/₄, containing 120 record acres, more or
 3 less;

4 (9) T. 3 S., R. 5 E., sec. 25—The portion of
 5 the S¹/₂S¹/₂ lying southwesterly of South Fork Eagle
 6 Creek, containing 125 record acres, more or less;

7 (10) T. 3 S., R. 5 E., sec. 31—Unnumbered lot
 8 (SW¹/₄SW¹/₄), containing 40.33 record acres, more
 9 or less;

10 (11) T. 7 S., R. 1 E., sec. 23—SE¹/₄SE¹/₄, con-
 11 taining 40 record acres, more or less;

12 (12) T. 10 S., R. 2 E., sec. 34—SW¹/₄SW¹/₄,
 13 containing 40 record acres, more or less;

14 (13) T. 10 S., R. 4 E., sec. 9—NW¹/₄NW¹/₄,
 15 containing 40 record acres, more or less;

16 (14) T. 10 S., R. 4 E., sec. 21—E¹/₂SW¹/₄,
 17 containing 80 record acres, more or less;

18 (15) T. 4 N., R. 3 W., sec. 35—W¹/₂SW¹/₄,
 19 containing 80 record acres, more or less;

20 (16) T. 3 N., R. 3 W., sec. 7—E¹/₂NE¹/₄, con-
 21 taining 80 record acres, more or less;

22 (17) T. 3 N., R. 3 W., sec. 9—NE¹/₄NE¹/₄,
 23 containing 40 record acres, more or less;

24 (18) T. 3 N., R. 3 W., sec. 17—S¹/₂NE¹/₄, con-
 25 taining 80 record acres, more or less; and

1 (19) T. 3 N., R. 3 W., sec. 21—Lot 1,
 2 N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, containing 157.99 record
 3 acres, more or less.

4 (d) EQUAL VALUE.—The land and interests in land
 5 exchanged under this section—

6 (1) shall be of equal market value; or

7 (2) shall be equalized using nationally recog-
 8 nized appraisal standards, including, to the extent
 9 appropriate, the Uniform Standards for Federal
 10 Land Acquisition, the Uniform Standards of Profes-
 11 sional Appraisal Practice, the provisions of section
 12 206(d) of the Federal Land Policy and Management
 13 Act of 1976 (43 U.S.C. 1716(d)), and other applica-
 14 ble law.

15 (e) REDESIGNATION OF LAND TO MAINTAIN REVE-
 16 NUE FLOW.—So as to maintain the current flow of reve-
 17 nue from land subject to the Act entitled “An Act relating
 18 to the revested Oregon and California Railroad and
 19 reconveyed Coos Bay Wagon Road grant land situated in
 20 the State of Oregon”, approved August 28, 1937 (43
 21 U.S.C. 1181a et seq.), the Secretary may redesignate pub-
 22 lic domain land located in and west of Range 9 East, Wil-
 23 lamette Meridian, Oregon, as land subject to that Act.

1 (f) TIMETABLE.—The exchange directed by this sec-
2 tion shall be consummated not later than 2 years after
3 the date of enactment of this Act.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated such sums as are nec-
6 essary to carry out this section.

7 **TITLE IV—COQUILLE FOREST**
8 **ECOSYSTEM MANAGEMENT**
9 **PLAN**

[To be supplied.]

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